

IN THE UNITED STATES OF AMERICA
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 4:16CR3
	§	Judge Mazzant
EDWARD LAERCIO GONGORA-	§	
AGUINO (5)	§	

ELEMENTS OF THE OFFENSE

You are charged in Count One of the Indictment with a violation of 46 U.S.C. §§ 70503 (a) and 70506(a) & (b), Conspiracy to Possess with the Intent to Distribute Cocaine while on board a vessel subject to the jurisdiction of the United States. The essential elements which must be proved beyond a reasonable doubt in order to establish a violation of that section are:

1. That you and one or more persons, in some way or manner made an agreement to commit the crime charged in the Indictment, that is, to possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine while on board a vessel subject to the jurisdiction of the United States;
2. That you knew the unlawful purpose of the agreement and joined in it with the intent to further it; and,
3. That you knowingly and voluntarily joined in the agreement, that is, with the intent to further its unlawful purpose.

Respectfully submitted,

JOHN M. BALES
United States Attorney

_____/s/_____
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on March 22, 2016.

_____/s/_____
ERNEST GONZALEZ